

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UTHERVERSE GAMING LLC,

Plaintiff,

v.

EPIC GAMES, INC.,

Defendant.

Case No. 2:21-cv-00799-RSM

VERDICT FORM

Instructions: When answering the following questions and completing this Verdict Form, you must follow the instructions provided and follow the Jury Instructions that you have been given. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in the Jury Instructions. You must refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein:

- “Utherverse” refers to Plaintiff Utherverse Gaming LLC.
- “Epic” refers to Defendant Epic Games, Inc.
- The “’605 patent” refers to U.S. Patent No. 9,724,605.
- The “asserted claims” refers to claims 2, 5, and 8 of the ’605 patent.
- The “accused events” refers to two events hosted by Epic in its multiplayer online videogame Fortnite: the Travis Scott and Ariana Grande concerts.

We, the jury, unanimously find as follows:

QUESTION NO 1. Has Utherverse proven by a preponderance of the evidence that either of the accused events infringed any of the asserted claims?

Check "YES" (for finding in favor of Utherverse) or "NO" (for finding in favor of Epic)

PATENT/CLAIM	INFRINGED – TRAVIS SCOTT?	INFRINGED – ARIANA GRANDE?
'605 patent, claim 2	YES _____ NO <input checked="" type="checkbox"/>	YES _____ NO <input checked="" type="checkbox"/>
'605 patent, claim 5	YES _____ NO <input checked="" type="checkbox"/>	YES _____ NO <input checked="" type="checkbox"/>
'605 patent, claim 8	YES _____ NO <input checked="" type="checkbox"/>	YES _____ NO <input checked="" type="checkbox"/>

Please proceed to Question No. 2.

1 **QUESTION NO. 2.** Has Epic proven by clear and convincing evidence that any of the asserted
2 claims are invalid as obvious based on the prior art?

3 Check "YES" (for Epic) or "NO" (for Utherville)

PATENT/CLAIM	INVALID AS OBVIOUS BASED ON THE PRIOR ART?
'605 patent, claim 2	YES ___ NO <u>✓</u>
'605 patent, claim 5	YES ___ NO <u>✓</u>
'605 patent, claim 8	YES ___ NO <u>✓</u>

ALL NO *oe*

11
12 Please proceed to Question 3.

QUESTION NO. 3. Has Epic proven by clear and convincing evidence that the elements of any of the asserted claims, taken individually or together, involved only technology that a person of ordinary skill in the art would consider to be well-understood, routine, and conventional as of August 12, 2014?

Check "YES" (for Epic) or "NO" (for Utherverse)

PATENT/CLAIM	INVALID AS WELL-UNDERSTOOD, ROUTINE, AND CONVENTIONAL?
'605 patent, claim 2	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
'605 patent, claim 5	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
'605 patent, claim 8	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

If you answered "YES" for one or more claims in Question No. 1 for either accused event and also answered "NO" to Questions Nos. 2-3 for those same claims (in other words, you found at least one claim infringed and not invalid), then please proceed to Question No. 4. Otherwise, please skip to the last page, sign and date the verdict form, and return it to the court clerk.

1 **QUESTION NO. 4.** What is the total amount of damages Utherverse has proven by a
2 preponderance of the evidence that it is entitled to as a reasonable royalty for Epic's
3 infringement?
4


5 Total Amount for Infringement: \$ _____
6

7 **QUESTION NO. 5.** If you entered an amount of damages for Question No. 4, did that amount
8 reflect a calculation of percentage royalty damages, or a one-time lump sum royalty payment?
9

10 TYPE OF DAMAGES	11 SELECT ONE
12 Percentage Royalty	<input type="checkbox"/>
13 One Time, Lump Sum 14 Royalty Payment	<input type="checkbox"/>

15
16 Presiding Juror, please sign and date this Verdict Form.

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18 Dated this 19 day of May, 2025.

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21 Presiding Juror
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